

PATENT COOPERATION TREATY

3644

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

BRITTER, Keith, Palmer
Britter and Co.
Enterprise Houses
14b Whitehorse Street
Baldock
Hertfordshire SG7 6QN
ROYAUME-UNI

RECEIVED

JUN 11 2001

TO 3600 MAIL ROOM

Date of mailing (day/month/year) 09 January 2001 (09.01.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 0264-I	
International application No. PCT/GB99/01631	International filing date (day/month/year) 21 May 1999 (21.05.99)

1. The following indications appeared on record concerning:

☐ the applicant ☐ the inventor ☒ the agent ☐ the common representative

Name and Address BRITTER, Keith, Palmer Britter and Co. Barn West, Dixies High Street Ashwell Hertfordshire SG7 5NT United Kingdom	State of Nationality	State of Residence
	Telephone No. 01462 743000	
	Facsimile No. 01462 743001	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☒ the address ☐ the nationality ☐ the residence

Name and Address BRITTER, Keith, Palmer Britter and Co. Enterprise Houses 14b Whitehorse Street Baldock Hertfordshire SG7 6QN United Kingdom	State of Nationality	State of Residence
	Telephone No. 44 0 1462 894200	
	Facsimile No. 44 0 1462 893636	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned
☐ the International Searching Authority ☒ the elected Offices concerned
☐ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer R. Raissi
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C. 20231
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 21 January 2000 (21.01.00)	
International application No. PCT/GB99/01631	Applicant's or agent's file reference 0264-I
International filing date (day/month/year) 21 May 1999 (21.05.99)	Priority date (day/month/year) 23 May 1998 (23.05.98)
Applicant HOWSE, Philip, Edwin	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

06 December 1999 (06.12.99)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p>	<p>Authorized officer Juan Cruz</p> <p>Telephone No.: (41-22) 338.83.38</p>
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PATENT COOPERATION TREATY

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REC'D 06 SEP 2000

WIPO

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0264-I	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB99/01631	International filing date (day/month/year) 21/05/1999	Priority date (day/month/year) 23/05/1998
International Patent Classification (IPC) or national classification and IPC A01M1/00		
Applicant UNIVERSITY OF SOUTHAMPTON et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 06/12/1999	Date of completion of this report 01.09.2000
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Kock, S Telephone No. +49 89 2399 2173 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB99/01631

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-15 as originally filed

Claims, No.:

1-57 as originally filed

Drawings, sheets:

1/2-2/2 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB99/01631

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-44
	No:	Claims	45,48,49,51,52
Inventive step (IS)	Yes:	Claims	1-44
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-57
	No:	Claims	

2. Citations and explanations

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1) The closest prior art is constituted by D1 = WO-A-94/00980 (cited in the description). From D1 a method and device is known from which the subject-matter of independent claims 1 and 23 essentially differ by the features pertaining to the particulate material being rendered airborne by the movement of the pest.

These differentiating features are neither known from, nor readily rendered obvious by, the prior art made available. The skilled man, when starting from D1, neither could nor would thus arrive at the subject-matter of independent claims 1 and 23 without exercising an inventive step.

- 2) Dependent claims 2-22 and 24-44 disclose further embodiments of the independent claim to which they refer and are likewise considered to meet the requirements of the PCT with regard to novelty and inventive step (Article 33(2)(3) PCT).
- 3) From D1 a pest control trap is known, which (cf. Fig. 3a-b) comprises a surface having a recess therein, wherein a particulate material incorporating a pest killing or behaviour-modifying agent, is accommodated in the recess (D1; page 7, 3rd paragraph; page 13, 3rd paragraph).

Consequently, the subject-matter of independent claim 45 is not novel (Article 33(2) PCT).

- 4) Having regard to the passages of D1 indicated above, the subject-matter of independent method claim 51 is likewise anticipated by D1 (Article 33(2) PCT).
- 5) The subject-matter of dependent claims 48, 49 and 52 is likewise known from D1, cf. also page 6, last paragraph (Article 33(2) PCT).

Re Item VII

Certain defects in the international application

- 5) Independent claims 1 and 23 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

Independent claims 1 and 23 should therefore be redrafted accordingly.

Re Item VIII

Certain observations on the international application

- 6) Claims 4, 26 and 55 seek to define the subject-matter of the independent claim to which they refer by features pertaining to the pest to be trapped and not the apparatus or method itself. Consequently, a lack of clarity arises (Article 6 PCT).

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 0264-I	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 99/01631	International filing date (day/month/year) 21/05/1999	(Earliest) Priority Date (day/month/year) 23/05/1998
Applicant UNIVERSITY OF SOUTHAMPTON et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

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JUN 11 2001

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

2

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 99/01631

A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 A01M1/00 A01M1/10 A01M1/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 A01M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 599 755 A (CHAPPEL BERNARD) 1 June 1994 (1994-06-01) column 2, line 22 - column 3, line 4 claims; figures ---	45,51
A	WO 94 00980 A (UNIV SOUTHAMPTON ;HOWSE PHILIP EDWIN (GB)) 20 January 1994 (1994-01-20) cited in the application claims; figures ---	1,5,23, 45,51
A	EP 0 392 935 A (NIGIKO SA) 17 October 1990 (1990-10-17) claims; figures ---	1,20,21, 23,42,43
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Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

6 September 1999

Date of mailing of the international search report

16/09/1999

Name and mailing address of the ISA

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Authorized officer

Pirou, J-C

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 99/01631

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 97 18704 A (UNIV SOUTHAMPTON ;HOWSE PHILIP EDWIN (GB)) 29 May 1997 (1997-05-29) claims; figures -----	1,5,23, 45,51

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 99/01631

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0599755 A	01-06-1994	FR 2698241 A	27-05-1994
WO 9400980 A	20-01-1994	AT 177591 T	15-04-1999
		AU 669727 B	20-06-1996
		AU 4575693 A	31-01-1994
		BR 9306723 A	08-12-1998
		CA 2140015 A	20-01-1994
		DE 69324012 D	22-04-1999
		EP 0650322 A	03-05-1995
		GB 2268676 A	19-01-1994
		JP 7508882 T	05-10-1995
		NZ 254181 A	27-05-1998
		NZ 299817 A	27-04-1998
EP 0392935 A	17-10-1990	FR 2645708 A	19-10-1990
WO 9718704 A	29-05-1997	AU 702012 B	11-02-1999
		AU 7634496 A	11-06-1997
		CA 2238102 A	29-05-1997
		EP 0869711 A	14-10-1998